



0000012454



ORIGINAL

ARIZONA CORPORATION COMMISSION RECEIVED

UTILITIES DIVISION
1200 W. WASHINGTON STREET
PHOENIX, AZ 85007

2002 OCT -8 P 1:28

Letter of Non-ComplianceAZ CORP COMMISSION
DOCUMENT CONTROL

October 08, 2002

Mr. Lawton Bloom
Zone Telecom, Inc.
Woodland Falls Corporate Center
200 Lake Drive East, Suite 200
Cherry Hill, New Jersey 08002

RE: DOCKET NO. T-03924A-00-0646 DECISION NO. 63523

Dear Mr. Bloom:

This notice will inform you that Zone Telecom, Inc. has not met certain compliance requirements ordered by the Commission in the above-referenced Decision. In that Decision, the Commission conditioned approval of the application on Zone Telecom, Inc. filing certain documents with the Commission within a specific time period as described on the attached Compliance Delinquencies Report.

As a result of this non-compliance, the Certificate of Convenience and Necessity did not issue to Zone Telecom, Inc. and is void. If Zone Telecom, Inc. intends to provide service in the future within Arizona, it must either file a new application for a certificate of convenience and necessity or obtain an extension of time to comply from the Commission. If you are requesting an extension of time to comply, your request must be received by the Commission no later than thirty (30) days from the date of this notice. Your request should set forth the reasons why you did not comply with the Commission's Decision and why you should be granted an extension. The Commission will consider your request and issue an Order either granting or denying your request for extension. Address your request for an extension of time to comply to: Docket Control, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007. Reference in your request the Docket Number and Decision Number for this matter.

If you believe this to be in error, or, if I can answer any questions, please contact me at 602-542-0818.

Sincerely,

Patrick C. Williams

Manager, Compliance and Enforcement
Utilities DivisionArizona Corporation Commission
DOCKETED

OCT 08 2002

cc: Docket Control, with eleven copies

DOCKETED BY	
-------------	--

Compliance Delinquencies Report

Report Date: October 08, 2002

COMPANY: Zone Telecom, Inc.
DOCKET NO. T-03924A-00-0646
DECISION NO. 63523 **DECISION DATE:** 3/30/2001

COMPLIANCE ACTION: Certificate conditioned on Company filing within 18 months of the date the Company first provides service, Fair Value Rate Base information which shall include a dollar amount representing the total revenue for the first twelve months of telecommunications service provided to Arizona customers following certification, adjusted to reflect the maximum rates that the Company requests in its tariff. This adjusted total revenue figure could be calculated as the number of units sold for all services offered times the maximum charge per unit. Also file Fair Value Rate Base information detailing the total actual operating expenses for the first twelve months of telecommunications service provided to Arizona customers by the Company following certification. Also file information which includes a description and value of all assets, including plant, equipment, and office supplies to be used to provide telecommunications service to Arizona customers for the first twelve months following Certification. The Company's failure to meet this condition to file sufficient information for a fair value finding and analysis and recommendation of permanent tariffs shall result in the expiration of the Certificate of Convenience and Necessity and the tariffs.

COMPLIANCE DUE DATE: 10/5/2002 OR,
